

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

WILLIE LEE HAGOOD,	)	Civil Action No.: 4:15-cv-1653-JMC-TER
	)	
Plaintiff,	)	
	)	
-vs-	)	
	)	<b>ORDER</b>
	)	
OFC. LIEUTENANT ROBERT MILLER,	)	
WARDEN CECILIA REYNOLDS, MRS.	)	
QUINTINA REMBERT, and OFC. SGT.	)	
RENNICK,	)	
	)	
Defendants.	)	
	)	

Plaintiff, who is proceeding pro se, brings this action presumably pursuant to 42 U.S.C. § 1983. Presently before the court is Plaintiff's Motion to Compel (Document # 29). All pretrial proceedings in this case were referred to the undersigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 73.02(B)(2)(d), DSC.

The scheduling order in this case provides for a discovery deadline of September 14, 2015. In his motion to compel filed October 16, 2015, Plaintiff asserts that he served Fed.R.Civ.P. 34 requests for production on Defendants on August 24, 2015, but did not receive a response. In those requests, Plaintiff sought "(1) the complete prison record of the Plaintiff (from December 2006 throughout the present), (2) any and all written statements, original or copies, indentifiable [sic] as reports about the incident that took place on December 22, 2006, and (3) any incident, or statements, thereafter December 22, 2006, made by prison employees or the department of corrections and prisoner witnesses."

Plaintiff did not serve these discovery requests in time for the responses to be served within

the discovery deadline set forth in the scheduling order, and Defendants did not file a response to the requests. Nevertheless, Defendants assert that, on October 27, 2015, and October 30, 2015, after the motion to compel was filed, they served their responses to Plaintiff's discovery requests, including a total of 190 pages of prison records. Plaintiff has not filed a reply to Defendants' response or a second motion to compel after review of the documents served by Defendants. As such, his Motion to Compel (Document # 29) is **DENIED** as untimely and, alternatively, as **MOOT**.

**IT IS SO ORDERED.**

s/Thomas E. Rogers, III  
Thomas E. Rogers, III  
United States Magistrate Judge

May 27, 2016  
Florence, South Carolina